

5466. Adulteration of oranges. U. S. * * * v. 371 Cases * * * and 25 Cases of Oranges. * * * Default decree of condemnation and forfeiture. Good portion of product ordered sold. Balance ordered destroyed. (F. & D. No 8136. I. S. No. 10856-m. S. No. C-663.)

On February 28, 1917, the United States attorney for the Eastern District of Michigan, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 371 cases of oranges labeled, "Lindsay's Best," and 25 cases of oranges labeled, "Lindsay's Choice," remaining unsold in the original unbroken packages at Detroit, Mich., alleging that the article had been shipped on February 5, 1917, by the National Fruit Exchange, Lindsay, Cal., and transported from the State of California into the State of Michigan, and charging adulteration in violation of the Food and Drug Act.

Adulteration of the article was alleged in substance in the libel for the reason that it consisted in whole and [or] in part of a decomposed vegetable substance.

On March 13, 1917, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be sorted, with the cooperation of a representative of this department and the Michigan Dairy & Food Commission, and that the portion of the product found unfit for food should be destroyed by the United States marshal and the good and marketable portion sold by said marshal.

CLARENCE OUSLEY, *Acting Secretary of Agriculture.*